

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

12-CR-211

MICHAEL LEE REED, JR.,

Defendant.

STATEMENT OF THE GOVERNMENT
WITH RESPECT TO SENTENCING FACTORS
AND MOTION PURSUANT TO U.S.S.G. §3E1.1(b)

PLEASE TAKE NOTICE, that the government hereby adopts all findings of the Pre-sentence Report with respect to sentencing factors in this action.

Should the defendant present any letters of support or sentencing statement to the Court, the United States will move to strike the items from the record if this office is not provided with copies at least three business days prior to sentencing.

The defendant is required by 18 U.S.C. §3013 to pay the sum of \$100 due at sentencing at the time of sentencing. Immediately after sentencing, the defendant must pay the amount due by personal check, cashier's check or certified funds to the United States District Court Clerk.

Restitution in the full amount of the victims' compensable losses must be ordered by the Court.

It is requested that the Court order that all financial obligations be due immediately. In the event the defendant lacks the ability to immediately pay the financial obligations in full, it is requested that the Court set a schedule for payment of the obligations.

In the event present counsel for the defendant will continue to represent the defendant after sentencing in regard to the collection of unpaid financial obligations, it is requested that a letter so advising be sent to:

Asset Forfeiture/Financial Litigation Unit
U.S. Attorney's Office--WDNY
138 Delaware Avenue
Buffalo, New York 14202

If a letter is not received within 10 days of sentencing, the defendant will be directly contacted regarding collection of the financial obligations.

Upon the ground that the defendant has assisted authorities in the investigation or prosecution of the defendant's own misconduct by timely notifying authorities of the defendant's intention to enter a plea of guilty, thereby permitting the government to avoid

preparing for trial and permitting the government and the Court to allocate their resources efficiently, the government hereby moves the Court to apply the additional one (1) level downward adjustment for acceptance of responsibility pursuant to U.S.S.G. §3E1.1(b).

DATED: Buffalo, New York, March 14, 2013.

Respectfully submitted,

WILLIAM J. HOCHUL, Jr.
United States Attorney

S/ MICHAEL DIGIACOMO

BY:

MICHAEL DIGIACOMO
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United States Attorney's Office
Western District of New York
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TO: John F. Humann, AFPD

Lindsay M. Maza
U.S. Probation Officer

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CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2013, I electronically filed the foregoing **STATEMENT OF THE GOVERNMENT WITH RESPECT TO SENTENCING FACTORS AND MOTION PURSUANT TO U.S.S.G. §3E1.1(b)** with the Clerk of the District Court using its CM-ECF system, which would then electronically notify the following CM/ECF participant on this case:

John F. Humann, AFD

I further certify that the foregoing was provided via inter office mail to the following participant on this case:

Lindsay M. Maza
U.S. Probation Officer

S/ KATHLEEN M. RIEMAN

KATHLEEN M. RIEMAN